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BE IT REMEMBERED, that the County Commission of Carter County, Elizabethton, Tennessee met in Regular Session on November 15, 2010, at 10:00 A.M. in the main courtroom of the Carter County Courthouse. Present and presiding were the Honorable Leon Humphrey, County Mayor / Chairman; the Honorable Keith Bowers, Jr. County Attorney. The following Commissioners were present: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja, Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks and Robert Gobble.

ROLL CALL. . . . . QUORUM PRESENT

PRAYER. . . . . L.C. TESTER

PLEDGE. . . . . TOM BOWERS

Carter County Commission

Leon Humphrey
County Chairman
Lawrence Hodge
Vice-Chairman

801 E. Elk Avenue
Elizabethton, TN 37643
(423) 542-1801
(423) 542-8279 Fax

PUBLIC NOTICE OF A REGULAR SESSION OF THE CARTER COUNTY COMMISSION

NOTICE IS HEREBY GIVEN to all members of the Carter County Commission, to all residents of the County of Carter, Tennessee, and to all persons interested, that the Regular Session of the Carter County Commission will be held Monday, November 15, 2010 at 10:00 a.m., Main Courtroom, Carter County Courthouse, 801 E. Elk Avenue, Elizabethton, Tennessee.

Agenda

- Call to Order
- Roll Call
- Opening Prayer
- Pledge of Allegiance
- Acceptance of Minutes from Previous Meeting
- Recognition of Elected Officials/Guests
- Public Comments
- Resolution for Three-Year Capital Outlay Notes – Informal Bids (Counties Share of Matching Funds for Animal Shelter)
- Resolution to Approve "Program Policies and Procedures for the Carter County 2010 HOME Program (HO-1)
- Resolution to Make Application to Tennessee Department of Transportation
- Carter County Tomorrow – Tom Anderson
- Notaries/Bonds
- Unfinished Business
- Committee Reports/Recommendations
- County Attorney Report
- Mayor's Report
- Commissioner Comments
- Adjourn

All matters that may be normally considered may be taken up and acted on at such meetings.

Leon Humphrey, Chairman
Carter County, Tennessee

Motion was made by Tom Bowers, seconded by Russell Kyte to approve the Minutes of the October 18, 2010, Commission meeting as presented. By majority voice roll call vote motion duly carried. The Clerk noted a Nay vote by Ken Arney.

At this time Tom Bowers was recognized by Mayor Humphrey and asked, for the record, Ken Arney the reason for the Nay vote. Mr. Arney stated that in his opinion, the Committee Meeting Minutes were inaccurate and they did not relay the true minutes of the Committee Meetings. Mayor Humphrey noted that some errors were found in the committee minutes and that this would be addressed, however the vote being taken, was not approval of the Committee Meeting Minutes, but that of the County Commission Meeting for October 2010 session.

Mayor Humphrey asked all in favor of **accepting the October 18, 2010 Session Minutes of the County Commission** as presented say Aye. By majority voice roll call vote motion duly carried.

At this time Mayor Humprhey asked the elected officials and guest in the audience to stand and thanked them for their attendance.

Mayor Humphrey asked at this time if there were any public comments and there were none.

The reading of Resolution No. 533 was suspended on motion by Dickie Renfro, seconded by Ken Arney. By voice roll call vote motion duly carried.

On recommendation from the Budget Committee and on motion by Tom Bowers, seconded by Bill Armstrong to adopt **Resolution No. 533 shown on page** 565-567 **for Three-Year Capital Outlay Notes- Informal Bids (Counties Share of Matching Funds for Animal Shelter – not to exceed $250,000.00)** as presented.

Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester (*), Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble.

NAYS: Joel Street and John Lewis

PASSING: 0

ABSENT: 0

(* Indicates that the Disclaimer for Employees of Carter County, Tennessee was read before vote was made).

There being 22 ayes, 2 nays, 2 passing and 0 absent motion duly carried.

On Motion by Dickie Renfro, seconded by Harry Sisk, the reading of Resolution No. 534 was suspended. By voice roll call vote motion duly carried.

On motion by Gebe Ritchie, seconded by Jo Ann Blankenship to adopt **Resolution # 534 shown on page 568 to Approve "Program Policies and Procedures for the Carter County 2010 HOME Program (HO-1)"** Mayor Humphrey then asked if there was any discussion concerning this motion. Being that they were none he then called for a roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble.

NAYS: 0

PASSING: 0

ABSENT: 0

There being 24, ayes, 0 nays, 0 passing and 0 absent motion duly carried.

Carter County Tomorrow President Tom Anderson was recognized by Mayor Humphrey at this time who gave an overview of the " Industrial Highway."

Mr. Anderson noted that the following resolution (No. 535) would authorize construction of a road between Judge Don Lewis Blvd. and Industrial Drive through the

Tennessee Department of Transportation's industrial access program. This would ease truck traffic flow in the Watauga Industrial Park. He also noted that a traffic signal at the intersection of Don Lewis and Highway 91 would be another part of the project.

On motion by Lawrence Hodge, seconded by Jo Ann Blankenship to adopting the **Resolution No. 535 shown on page 569 to Make Application to Tennessee Department of Transportation for assistance in construction and completion of the proposed industrial access highway in the Watauga Industrial Park** as presented. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble.

NAYS: 0

PASSING: 0

ABSENT: 0

There being 24 ayes, 0 nays, 0 passing, 0 absent motion duly carried.

At this **time Mr. Tom Anderson, President of Carter County Tomorrow** gave his monthly update on current and upcoming regional business and industrial projects. He noted that an investigation is under way regarding options on repairing an outside wall in the Workforce Development Complex damaged by severe winds recently. Mr. Anderson also noted that Don M. Lewis Extension was now complete. Investigations are still being made concerning cost effective options to the parking issues at Northeast State.

The Tourism Council had their first full council meeting and they are working on brochures which would feature area trails and promote Roan Mountain as a tourist destination and focusing on sports-related attractions such as Elizabethton Twins Field, the East Tennessee Sports Complex and area ball parks. He also noted that this information would soon be available with a new electronic newsletter. Mr. Anderson noted the Sunny Side Trail signs had recently been placed featuring several scenic stops in the area.

Concerning economic development, it was noted that a meeting is set for November 30th in which Tom Trent will offer advise on incentives to help recruit business and industry and invited elected officials to attend this training session.

Mr. Anderson stated that Mountain Electric Cooperative had expressed an interest in funding up to $10,000 for a pre-engineering and feasibility study, which will determine whether building a Roan Mountain sewer project is worthwhile.

Two area industries are planning expansion and will hire more than 40 new employees being primarily welders and millwrights. He also said that the Smokey Mountain Sports Complex continues to promote tournaments and is under new ownership, while the property vacated by Smokey Mountain Books is currently for sale at approximately $1 million at this time.

Sites are still being sought out that can be identified and certified as industrial sites. It was noted that work was still being done with Borla Commerce Park to certify the property for best use options. Also plans are being made for a tour of the property in the near future for Commissioners.

Mr. Anderson spoke noting that regional efforts were under way to market property near Interstate 26 at the Okolona Exit as a potential three-county industrial site. This would be a potential site needed to recruit new business and industry to Carter County as well as creating benefits for Washington County, Unicoi and Johnson City as well.

Mr. Anderson noted the possibility of setting up a corridor project near I-26 linking Tri-Cities to Charleston, South Carolina, along with funding through the Tennessee Solar Institute's solar energy initiative, which can be used to attract investment to the region.

Discussion was made concerning the $41,000.00 in rent for the Work Force Development Building, which was forgiven. Mr. Anderson noted that requested receipts would be turned over to Jerome Kitchens, Finance Director concerning this matter.

Elizabethton-Carter County Chamber of Commerce Director Candy Craig took the podium. She reported that a small business assistance center had been set up inside the Chamber, and a business resource guide is also available. It was noted that the

next meeting of the Government Relations Committee was set for January 21, 2011 at 8:30 p.m. A strategic planning meeting was not yet scheduled, however she urged the commissioners to watch for the date.

Ms. Craig also spoke concerning the Christmas Angel Tree Program, which through private and corporate donations would provide Christmas gifts to 832 under-privileged children, food for 378 needy senior citizens and 430 families. She said about $20,000 in donations is currently needed to provide for the needs.

On motion by Harry Sisk, seconded by Nancy Brown the following **Notaries** were approved by voice roll call vote.

Brandee Riddle

Cathie Bentley

David L. Robbins

Penny Bowling

Jeannie Holder

In unfinished business, a motion was made by Charles VonCannon, seconded by Dickie Renfro to change the alternate **evening commission meetings from 7:00 P.M. to 6:00 P.M.** beginning in December 2010. Roll call vote as follows:

AYES: Paul Mottern, Lawrence Hodge, Nancy Brown, Joel Street Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks and Robert Gobble.

NAYS: Gebe Ritchie, John Lewis and Scott Sams.

PASSING: 0

ABSENT: 0

There being 21 ayes, 3 nays, 0 passing and 0 absent motion duly carried.

On recommendation of the Budget Committee, motion was made by Tom Bowers, seconded by Steve Lowrance to authorize Jerome Kitchens, Financial Director to **transfer $ 15,000** from line item 91190-791 to 51300-169 of the Mayor's

Budget to be used to hire a part-time realtor to search for potential industrial development sites.

Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble.

NAYES: 0

PASSING: 0

ABSENT: 0

There being 24 ayes, 0 nays, 0 passing and 0 absent motion duly carried.

On recommendation from the Budget Committee, and on motion by Tom Bowers, seconded by Nancy Brown to authorize Jerome Kitchens, County Finance Director to create a specific line item for pay down of unpaid **Sheriff's Department compensation time** currently more than $ 327,000.

Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester *, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks and Robert Gobble.

NAYS: 0

PASSING: 0

ABSENT: 0

(* Indicates the Disclaimer for Employees of Carter County, Tennessee was read before vote was made).

There being 24 ayes, 0 nays, 0 passing, 0 absent motion duly carried.

On recommendation from the Budget Committee, and on motion by Tom Bowers, seconded by Nancy Brown to approve **School Department Budget Amendment # 4**

Item #1 - Item # 2 - Item #3 - Item # 4 entered on page 570.

Roll call vote as follow:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street(*),Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester(*), Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless (*), Dickie Renfro, Ken Arney(*), Steve Chambers(*), John Lewis, Sonja Culler(*), Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks(*), and Robert Gobble.

NAYS: 0

PASSING: 0

ABSENT: 0

(* Indicates that the Disclaimer for Employees of Carter County, Tennessee was read before vote was taken).

There being 24 ayes, 0 nays, 0 passing, 0 absent motion duly carried.

On recommendation from the Budget Committee, and on motion by Steve Chambers, seconded by Lawrence Hodge to approved **General Fund Budget Amendment # 3 concerning Budget Auction Funds in the Sheriff's Department** entered on page 570.

Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street(*)Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester(*), Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble.

NAYS: John Lewis

PASSING: 0

ABSENT: 0

There being 23 ayes, 1 nay, 0 passing, and 0 absent motion duly carried.

At this time Jo Ann Blankenship, on behalf of the Financial Management Committee, presented the monthly report (copy on file in County Clerk's Office.)

Russell Kyte, on behalf of the Building and Grounds and Law Enforcement Committee spoke. He noted that repair work was still in the planning stages concerning the Monument.

Jo Ann Blankenship spoke on behalf of the Health & Welfare and Law Enforcement Committees monthly report (filed with the county clerk's office).

- She reported that the Carter County Health Department was in need of a full-time Physician and that the possibility of such needed to be looked into.

In regard to questions concerning the Rescue Squad, it was noted that they were a private corporation and was not obligated to follow sunshine laws. The Rescue Squad Regularly Scheduled Board meeting meets on the third Tuesday of each month at 6:00 P.M. It was also stated that the Carter County Rescue Squad had been recognized as one of the top five-squad units in the state.

Notation was made concerning action taken by the Tennessee Consolidated Retirement System in response to members being convicted of a felony. Reference being made from T.C.A. Code 8-35-124.

On recommendation of the Landfill Committee, a motion was made by Gebe Ritchie, seconded by Joel Street to **accept a proposal/contract with S&ME to provide monitoring ground water for methane and leachache. Theses services would be for a period of one (1) year with an option to renew.**

Roll call vote to follow:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Pat Hicks, and Robert Gobble.

NAYS: 0

PASSING: 0

ABSENT: Bill Armstrong

There being 24 ayes, 0 nays, 0 passing, 1 absent motion duly carried.

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On recommendation from the Landfill Committee, a motion was made by Gebe Ritchie, seconded by Sonja Culler to demand **$ 5,000.00 in back rent from R.W.Edwards Company**, which has **leased part of the landfill** property for several years along with an order to vacate the premises within sixty days.

Roll call vote to follow:

AYES: Paul Mottern, Gebe Ritchie Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble.

NAYS: 0

PASSING: 0

ABSENT: 0

There being 24 ayes, 0 nays, 0 passing, 0 absent motion duly carried.

Paul Tolley spoke on behalf of the Parks & Recreation Committee spoke. He noted some picnic tables and benches had been installed at some of the schools with more to be added in the future. An additional report will be given during the December meeting.

Jo Ann Blankenship had recently attended CTAS training. She spoke concerning some legal aspects of the Conflict of Interest and stated that it needed to be read each time in its entirety.

A motion was made by Jo Ann Blankenship, seconded by Paul Mottern **to appoint Mayor Leon Humphrey the official spokesperson in the case of a major disaster or criminal event** and give him authority to designate to alternate spokesperson (example, Director of Schools, Sheriff) as appropriate.

Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble.

NAYS: 0

PASSING: 0

ABSENT: 0

There being 24 ayes, 0 nays, 0 passing 0 absent motion duly carried.

A motion was made by Jo Ann Blankenship, seconded by Nancy Brown that the County Mayor or the Chairperson of the Committee be notified first of any **legal issues** and consult the County Technical Assistance Service before the County Attorney is called. Roll call vote ad follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble.

NAYS: 0

PASSING: 0

ABSENT: 0

There being 24 ayes, 0 nays, 0 passing, 0 absent motion duly carried.

Mayor Humphrey requested that all committee chairs look into purchasing a recorder for use during each meeting so that the minutes may be accurately recorded.

County Attorney Keith Bowers, Jr. at this time presented his monthly report.

He spoke concerning trees being cut near county property. It was noted that surveys needed to be checked before any work be done. The Building and Grounds Committee to follow-up on this matter.

A bankruptcy matter concerning a purchase of underwater equipment for Search and Rescue claim had been resolved. Delivery of equipment is expected during the early part of next year.

Mayor Humphrey informed the Commissioners that the following items had been addressed since the October 2010 meeting:

1. Assessment was made concerning the actual need for a wastewater treatment plant in Roan Mountain. The response was very positive and in favor of proceeding with a feasibility study. Once the study is complete the next course of action will be addressed.

2. A newly formed Records Committee will be attending a workshop on November 17, 2010. This workshop is sponsored by the Tennessee State Library and Archives and will be showing the basic process of starting an archive library.

3. Thomas Trent, Jr. will be at the Truman Clark Annex on November 30, 2010. Mr. Trent, a realtor, will be conducting a training session on Economic Development.

At this time Mayor Humphrey announced that a short recess would be taken to allow County Attorney, Keith Bowers, Jr. to confer with Commissioners regarding ongoing litigation cases.

Following the recess Mayor Humphrey called the meeting back in session.

Commissioner Robert Gobble mentioned that the Elizabethton High School Band needed to be recognized for being selected the number one high school band in Tennessee. Mayor Humphrey said that a proclamation would be presented during the December meeting.

Commissioner Charles VonCannon spoke concerning the October 6, 2010 deadline for the completion of the Carter County Jail. Mr. VonCannon asked if the county was being compensated by Blaine Construction Co. for going past this deadline. Mayor Humphrey noted that a meeting would be scheduled, inviting Architect J. Mark Rodgers and representative of Blaine Construction Company to discuss contract details.

It was also noted that housing of juvenile and adult prisoners and other issues with the new jail would be discussed during this meeting.

Commissioner Nancy Brown made a motion to require county officials and employees to have a background check before beginning employment. Motion failed to get a second, therefore no action taken.

Being that there was no additional business at this time motion to adjourn was made by Gebe Ritchie, seconded by Harry Sisk. By voice roll call vote motion duly carried. Court Adjourned.

ResolutionNo. 533
Date November 15, 2010

THREE-YEAR CAPITAL OUTLAY NOTES—INFORMAL BID
(NOT TO EXCEED $250,000.00)

RESOLUTION OF THE GOVERNING BODY OF CARTER COUNTY, TENNESSEE, AUTHORIZING THE ISSUANCE, SALE, AND PAYMENT OF CAPITAL OUTLAY NOTES NOT TO EXCEED $250,000.00 PURSUANT TO THE INFORMAL BID PROCESS

WHEREAS, the Governing Body of Carter County, Tennessee, (the "Local Government") has determined that it is necessary and desirable to issue capital outlay notes in order to provide funds for the following public works project (the "Project"): Provide matching funds to City of Elizabethton for construction of Animal Shelter.
WHEREAS, the Governing Body has determined that the Project will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV and VI of Title 9, Chapter 21, Tennessee Code Annotated (the "Act"), local governments in Tennessee are authorized to finance the cost of this Project through the issuance and sale of interest-bearing capital outlay notes upon the approval of the State Director of Local Finance; and

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of Title 9 Chapter 21 Section 608 capital outlay notes to finance the cost of the Project;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body as follows:

Section 1. That, for the purpose of providing funds to finance the cost of the Project in and for the Local Government, the Chief Executive Officer of the Local Government is hereby authorized in accordance with the terms of this resolution, and upon approval of the State Director of Local Finance, to issue and sell interest-bearing capital outlay notes in a principal amount not to exceed Two Hundred Fifty Thousand Dollars ($250,000.00) (the "Notes") by an informal bid process pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated "Public Works Capital Outlay Notes, Series 2010"; shall be numbered serially from 1 upwards; shall be dated as of the date of issuance; shall be in denomination(s) as agreed upon with the purchaser; shall be sold at not less than 99% of par value and accrued interest; and shall bear interest at a rate or rates not to exceed four per cent (4 %) per annum, and in no event shall the rate exceed the legal limit provided by law.

Section 2. That, the Notes shall mature not later than three (3) years after the date of issuance and, unless otherwise approved by the State Director of Local Finance, the Notes shall be amortized in an amount reflecting at least level debt service on the Notes approximately according to the following schedule:

Fiscal Year	Principal Amount
2010-2011	$82,095.74
2011-2012	$83,327.18
2012-2013	$84,577.08

The Notes shall not exceed the reasonably expected economic life of the Project which is hereby estimated to be at least 20 years.

Section 3. That, the Notes shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium, or, if sold at par, with or without a premium of not exceeding one percent (1%) of the principal amount.

Section 4. That, the Notes shall be direct general obligations of the Local Government, for which the punctual payment of the principal and interest on the notes, the full faith and credit of the Local Government is irrevocably pledged and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government for the purpose of providing funds for the payment of principal of and interest on the Notes. The Governing Body of the Local Government hereby authorizes the levy and collection of a special tax on all taxable property of the Local Government over and above all other taxes authorized by the Local Government to create a sinking fund to retire the Notes with interest as they mature in an amount necessary for that purpose.

Section 5. That, the Notes shall be executed in the name of the Local Government; shall bear the manual signature of the chief executive officer of the Local Government and the manual signature of the county clerk, city recorder or other similar local government official as authorized by the governing body together with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the local government official as authorized by the Local Government or at the office of the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the county trustee, in the case of counties, or, in the case of municipalities or metropolitan governments, with the official designated by law as custodian of the funds. All proceeds shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.

Section 6. That, the Notes will be issued in fully registered form and that at all times during which any Note remains outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a note register for the registration, exchange or transfer of the Notes. The note register, if held by an agent of the Local Government, shall at all times be open for inspection by the Local Government or any duly authorized officer of the Local Government. Each Note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent together with a written instrument or transfer satisfactory to the Local Government duly executed by the registered owner or the registered owner's duly authorized attorney. Upon the transfer of any such Note, the Local Government shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered Notes. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days

next preceding an interest payment date on the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Section 7. That, the Notes shall be in substantially the form authorized by the State Director of Local Finance and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

Section 8. That, prior to the sale of the Notes, the Local Government shall submit a copy of this resolution authorizing the Notes to the State Director of the Local Finance for approval and a copy of the proposed disclosure statement, if any, and a statement showing the estimated annual principal and interest requirements for the Notes and a detailed statement showing the estimated cost of issuance which shall include at least the following, if applicable: (1) fiscal agent and/or financial advisor fees; (2) bond counsel fees; (3) other legal charges if any; (4) credit enhancement fees; (5) trustee fees; (6) registration fees; (7) paying agent fees; (8) rating agency fees; (9) underwriters' discount or charges; (10) remarketing agent fees; (11) printing, advertising and other expenses; (12) the number of financial institutions contacted by telephone or by letter (which should be at least three if possible) for the purpose of obtaining interest rates, and if only one institution was contacted a statement as to why only one institution was contacted. In its request for approval, the Local Government shall state and demonstrate that the proposed sale by the informal bid process is feasible, in the best interest of the Local Government, and that the Local Government should be able to amortize the proposed indebtedness together with all the obligations then outstanding.

Section 9. The Notes shall not be sold until receipt of the State Director of Local Finance's written approval for the sale of the Notes.

Section 10. That, the notes are hereby designated as qualified tax-exempt obligations for purpose of Section 265(b) (3) of the Internal Revenue Code of 1986.

Section 11. That, after the sale of the Notes, and for each year that any of the notes are outstanding, the Local Government shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the State Director of Local Finance (the "Director".) The budget shall be kept balanced during the life of the notes. The annual budget shall be submitted to the Director immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Director in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes".) If the Director determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Director.

Section 12. That, if any of the Notes shall remain unpaid at the end of three (3) years from the issue date, then the unpaid Notes shall be retired from the funds of the Local Government or be converted into bonds pursuant to Chapter 11 of Title 9 of the Tennessee Code Annotated, or any other law, or be otherwise liquidated as approval by the State Director of Local Finance.

Section 13. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists; and this Resolution shall become effective immediately upon its passage.

Duly passed and approved this 15th day of November, 2010.

Leon Humphrey, County Mayor

CARTER COUNTY CLERK TENNESSEE

ATTESTED:

Mary Gouge, County Clerk

RESOLUTION NO. 534

RESOLUTION

BEFORE THE COUNTY COMMISSION
OF
CARTER COUNTY, TENNESSEE

WHEREAS, Carter County has received funding from the HOME program, administered by the Tennessee Housing Development Agency (THDA), to provide housing rehabilitation for low and very low income persons; and

WHEREAS, the County desires to provide housing rehabilitation services to these residents in and equitable and consistent manner; and

WHEREAS, the County Commissioners understands that it must approve program policies and procedures for this grant to ensure equitable and consistent housing rehabilitation services.

NOW, THEREFORE, BE IT RESOLVED, that the Carter County Commission does hereby authorize the approval of the document, "Program Policies and Procedures for the Carter County 2010 HOME Program" (H0-1).

BE IT FURTHER RESOLVED, that the County Commission does hereby authorize the First Tennessee Development District to provide administrative services in the manner accorded in these policies.

This Resolution was duly considered and adopted by the County Commission, in and for Carter County, Tennessee, this the 15th **day of** November, **2010**

Leon Humphrey, County Mayor

Attest:

Mary Gauger, County Clerk

RESOLUTION NO. 535

RESOLUTION OF THE COUNTY COMMISSION
CARTER COUNTY, TENNESSEE

WHEREAS, the Carter County, Tennessee is vitally interested in the economic welfare of its citizens and wishes to provide the necessary leadership to enhance this area's capabilities for growth and development, and

WHEREAS, the provision of jobs to area citizens by local industry is both necessary and vital to the economic well-being of **Carter County**, and

WHEREAS, the Industrial Highway Act of 1959 authorizes the Tennessee Department of Transportation to contract with cities and counties for the construction and maintenance of "Industrial Highways" to provide access to industrial areas and to facilitate the development and expansion of industry within the State of Tennessee, and

WHEREAS, NCI **(Star Building Systems)** has plans to expand operations within the **Watauga Industrial Park** with the addition of 116 employees to the project.

WHEREAS, the construction of an industrial access road to serve said proposed plant is necessary and vital to the successful completion of this project and the future economic well-being of this area.

NOW, THEREFORE BE IT RESOLVED by **Carter County** that application be made to the Tennessee Department of Transportation for assistance in construction and completion of the herein proposed industrial access highway under the provisions of the Industrial Highway Act of 1959, and pursuant to the "Rules and Regulations for the Construction of Industrial Highways" promulgated by the Commissioner of Transportation.

Adopted this 15th day of December, 2010.

Leon Humphrey
County Mayor

CARTER COUNTY CLERK TENNESSEE

Attest:

General Fund 101
Budget Amendment # 3 2010-11

Item #1	54110	106	Sheriff's deputies	10,000		Increase
	54110	201	Social Security	620		Increase
	54110	204	Retirement	1,428		Increase
	54110	212	Medicare	1,475		Increase
	54110	353	Tow In Service	2,207		Increase
	44530		Sale of equipment		14,400	Increase

To budget for August auction proceeds

Item #2	51300	169	Part Time Personnel -County Mayors Offic	13,934		Increase
	51300	201	Social Security	864		Increase
	51300	212	Medicare	202		Increase
	91190	791	Other Gen gov projects-other construction		15,000	Decrease

To budget of land serch project.

Carter County Schools Fund 141
Budget Amendment # 4 2010-11

Item #1	73300	105	Director	32,760		Increase
	73300	169	Part-Time Personnel	334,369		Increase
	73300	201	Social Security	22,762		Increase
	73300	204	Retirement	12,076		Increase
	73300	206	Life Insurance	15		Increase
	73300	207	Medical Insurance	4,682		Increase
	73300	208	Dental Insurance	115		Increase
	73300	210	Unemployment	3,000		Increase
	73300	212	Medicare	5,323		Increase
	73300	355	Travel	3,500		Increase
	73300	429	Instructional Supplies	8,400		Increase
	73300	524	Staff Development	4,350		Increase
	73300	599	Other Charges	5,148		Increase
	46590		Other State Education Funds		436,500	Increase

To recognize Lottery Education Grant for after school programs

Item #2	72260	105	Supervisor/Director	6,262		Increase
	72210	105	Supervisor/Director		6,262	Decrease

To increase Adult Education Supervisor salary state reimbursement and reduce local supplement cost.

Item #3	71200	399	Other Contracted Services	20,000		Increase
	71200	499	Other Supplies and Materials	5,000		Increase
	71200	599	Other Charges	5,000		Increase
	71200	725	Special Education Equipment	6,000		Increase
	72220	399	Other Contracted Services	4,000		Increase
	72220	599	Other Charges	5,368		Increase
					45,368	Increase

To budget funds for high cost special education services per state award

Item #4	72210	524	Inservice - Staff Development	2,000		Increase
	46590		Other State Education Funds		2000	Increase

To budget teacher principal evaluation grant.